IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4161 OF 2004
IN
CRIMINAL APPEAL NO.705 OF 2003

Rajesh Puttilal Pardeshi ...Applicant.

V/s

State of Maharashtra ...Respondent.

Mr. N. D. Deboo for the applicant.

Mr. B.R. Patil Acting P.P. for the respondent.

CORAM: V.M.KANADE,J.

DATE: 19TH OCTOBER, 2004

P.C.:

1. Heard learned Counsel appearing on behalf of the applicant and the learned Acting P.P. for the respondent - State.

2. This application for bail is preferred by the original accused No.1. Applicant has been convicted by the Trial Court under the provisions of MCOC Act and sentenced to undergo rigorous imprisonment for five years. The learned Counsel submits that the applicant is in jail since 18/10/2001 and he has already undergone more than 3 years of sentence. However, considering the fact that the applicant has been convicted under the provisions of sections 387,

426, 506 (Part-2) of the IPC read with the provisions of MCOC Act, in my view, this is not a fit case where applicant can be released on bail. Hearing of the appeal, however, is expedited. Appellant is permitted to prepare a private paper-book with liberty to apply for fixed date of hearing. In the event, appeal is not heard within a reasonable time, liberty to the applicant to apply again.

V.M. KANADE, J.